

SEP 21 2021

Sept 21, 2021

Davis County Commissioners Stevenson, Kamalu and Elliott
BOARD OF DAVIS
COUNTY COMMISSIONERS

I feel strongly that my right and responsibility as a citizen is to ask questions and receive answers. The mechanism that allows that are the GRAMA laws. As Waterwatch of Utah I have nearly 20 years of GRAMA Requests and Responses.

Following meetings with Representative Kevin Garn and DEQ Director Amanda Smith and Division of Drinking Water Director, Ken Bousfield, July 29, 2009 I testified before the Utah State Water Development Commission. My concerns followed the Mountain Dell Reservoir spill of undiluted fluorosilicic acid into Parleys Creek, August 31, 2007. The Committee directed Ms. Smith outline Fluoride authorities specific to DEQ, Water Quality and Drinking Water. The same information I presented to the State was presented to Davis County Commissioners.

It wasn't until July of 2021 that I learned that neither the County nor the State had any record of the documents specific to that 2009 presentation. I also learned that all the time I thought I was formally noticing the Davis County Commissioners of the findings of those GRAMA requests by appearing before this body, getting the documents stamped the records and speaking into the microphone didn't mean anything I submitted was retained. I had no idea. July 20, 2021- I asked Representative Steve Handy to ask the State DEQ for the documents they told me no longer had. How was that possible that a document the State Legislature required no longer existed? By him asking, several documents were unearthed. His email dated Aug 3, 2021 stated " Here you go, Lorna..the binder and presentation are long gone. DEQ made a valiant effort and have provided the attached documents. Theres a memo from Amanda in 2009 but Im not seeing the content for some reason...so there you go..have to start over I guess, any thoughts? " Commissioner Stevenson recently asked why the cities weren't told any of this. In truth, I can only guess the politics won out.

In the lawsuit against Holliday Water District, the Salt Lake County Attorney for the Health Department opined water agencies can't claim governmental immunity and following the Sandy City accident they cant hide behind "We didn't know what we didn't know."

Feb 22, 2011 and following a request from the Davis County Commissioners to do so, Davis County Attorney, Troy Rawlings presented his legal opinion relative to the implementation of the fluoride mandate. Mr. Rawlings suggested 5 options. The Health Department and the Davis County Commissioners chose option 1 - To take no action at this point at all and rely on the entities that have already made decisions in this regard.

1. Utah Code 17-53-226 gives [Davis County] Commissioners the ability to hold hearings, possibly establish a water advisory board or committee to study these issues and make recommendations

For nearly 20 years, I have compiled the documents I received from GRAMA requests. For nearly 20 years, I have presented that information to the Davis County Commissioners. Please give me the opportunity to take my findings and concerns directly to the water agencies. Let them decide if there is anything disclosed that they would like to consider, more closely. Further action, if necessary, can be determined once the facts are discovered.

Respectfully, Lorna B Rosenstein

Lorna B Rosenstein